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CONSIDERATION OF EFFECTIVE MEASURES TO ENHANCE THE PROTECTION,
SECURITY AND SAFETY OF DIPLOMATIC AND CONSULAR MISSIONS AND
REPRESENTATIVES

Report of the Secretary-General

Addendum

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* A/47/150.

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I. INTRODUCTION

1. During the period 14 July to 14 August 1992, a total of 12 additional cases of violations, as well as further information on cases previously reported, were submitted by States pursuant to paragraph 9 of General Assembly resolution 45/39 of 28 November 1990.

II. REPORTS RECEIVED FROM STATES PURSUANT TO PARAGRAPH 9 OF GENERAL ASSEMBLY RESOLUTION 45/39

A. Analytical summary of the reports

2. During this period, there were a number of reports of incidents involving acts of violence directed against diplomatic and consular missions, property and representatives. There was also one report concerning the attempted murder of an ambassador.

1. Violations of the protection of diplomatic and consular premises

3. A communication submitted by Turkey reported a number of cases concerning intrusions into diplomatic and consular premises of missions resulting in material damage, bomb attacks on or incendiary devices thrown at such premises, and other acts of violence and disturbances of the peace of diplomatic missions and consular posts.

4. There were reports by Turkey of violent incursions of groups into its diplomatic or consular missions in Belgium, Norway and Sweden, as well as violent incursions of groups into its tourism and information offices in Denmark and the Netherlands. In all of these cases, according to these reports, the attackers caused damage to the premises and to the property therein. In connection with the incident at the Turkish Embassy at Stockholm, Sweden had previously transmitted information* on the ongoing investigation of the alleged offenders, its reimbursement ex gratia of reasonable expenses incurred as a result of the damage caused to the Embassy premises and the further enhancement of protective measures for the Turkish Embassy.

5. Turkey also reported the throwing of incendiary devices at Turkish consular premises in France and an explosion in front of a Turkish consular mission in the Islamic Republic of Iran.

* Note verbale from the Permanent Representative of Sweden to the United Nations addressed to the Secretary-General dated 30 June 1992, which is reproduced in the report of the Secretary-General on this item (see A/47/325, sect. II.B).

6. Other disturbances of the peace of diplomatic and consular missions included throwing stones or paint at the premises of the missions or other hostile acts which were reported by Turkey in Australia, Denmark, France, Germany and the United Kingdom of Great Britain and Northern Ireland. Turkey also reported acts of theft and destruction of property with respect to its consular premises in Switzerland.

7. Information on previously reported cases was submitted by France, Germany and the Netherlands. France provided information on protective measures taken in response to demonstrations in front of the Iranian Embassy, as reported by the Islamic Republic of Iran in its note dated 23 April 1992,** as well as on the results of legal proceedings instituted against several of the demonstrators. Germany provided additional information on the results of the investigation against individuals on suspicion of breach of the public peace and damage to property during a demonstration in front of the Turkish consular mission in Germany which was reported by Turkey in its note dated 17 December 1991.** The Netherlands provided information concerning the ongoing legal proceedings instituted against several individuals for demolition of property or illegal entry as a result of an incident in front of the Iranian diplomatic mission which was reported by Iran in its note dated 23 April 1992.**

2. Attacks on the persons of diplomatic and consular representatives and their families

8. One case of attempted murder has been reported during the period considered. Romania reported that on 20 August 1991 the Ambassador of India to Bucharest was attacked and wounded by "five Sikh terrorists" near his residence. Romania also transmitted information on the results of the prosecution of two individuals for this attack.

B. Text of the reports

1. Note verbale from the Permanent Mission of France to the United Nations addressed to the Secretary-General 1/

[Original: French]

[31 July 1992]

With reference to the Secretary-General's note LA/COD/4 dated 4 May 1992, France has the honour to provide the following information:

** The text of the report is reproduced in the report of the Secretary-General on this item (A/47/325, sect. II.B).

1. The French authorities reacted swiftly and effectively to the demonstrations targeted against the Iranian Embassy in France on 5 April 1992. As soon as the incident occurred, a sizeable police contingent was dispatched to the scene to prevent any further outbreak of trouble and order was rapidly restored. A smaller but nevertheless significant police presence was subsequently maintained (one sergeant plus four suitably equipped special officers).

2. Approximately 20 demonstrators were questioned that same day. Six were imprisoned and five others were handed over to the Public Prosecutor's Office and sentenced by magistrates.

3. On 6 April, the spokesman for the Ministry of Foreign Affairs made the following statement: "We condemn all action against embassies and recall that, under the Vienna Convention, all possible measures must be taken to maintain their inviolability. Anyone guilty of such actions will therefore have to answer to the French courts".

2. Note verbale from the Permanent Mission of Germany to the United Nations addressed to the Secretary-General 2/

[Original: English]

[10 July 1992]

1. Further to its note No. 115 of 4 March 1992, Germany has the honour to communicate the following:

2. One of the demonstrations against Turkish missions in Germany reported by the Permanent Mission of Turkey in its note of 17 December 1991 took place on 13 July 1991 in front of the Turkish Consulate General in Nuernberg. Seventeen suspects were rounded up by the police.

3. The Regional Court of Nuernberg-Fuerth conducted a preliminary investigation against these individuals on suspicion of breach of the public peace in conjunction with damage to property. It was, however, not possible to convict them. For lack of evidence, the charges had to be dropped, in accordance with article 170, paragraph 2, of the Code of Criminal Procedure.

3. Note verbale from the Permanent Mission of the Kingdom of the Netherlands to the United Nations addressed to the Secretary-General 3/

[Original: English]

[20 July 1992]

With reference to the Secretary-General's note LA/COD/4 of 4 May 1992, the Netherlands wishes to report action taken in response to the incidents that took place at the Embassy of the Islamic Republic of Iran at The Hague on 5 April 1992.

1. Time, date and location of the reported violation:

5 April 1992 at 3.20 p.m., at the Embassy of the Islamic Republic of Iran at The Hague, Netherlands.

2. Characteristics of the reported violation:

A group of approximately 40 persons gathered in front of the premises of the Iranian Embassy, subsequently gaining access to the premises of the Embassy by crashing the gate with a motor vehicle. They damaged the outside of the Embassy and windows were broken. A number of people forced their way into the Embassy and damaged the interior, including computer equipment, emptied file cabinets, painted slogans on the walls and tried to set fire to the building.

3. Missions or representative(s) against whom the reported violation was directed:

Embassy of the Islamic Republic of Iran.

4. Casualties sustained and damage caused by the reported violation:

Broken windows, substantial damage to the interior of the building, including equipment (computers, television, video, photocopier, telecommunications equipment), slogans painted on the wall.

5. Names, nationalities, places of habitual permanent residence of the alleged offenders and other available information regarding the identity of such offenders:

In conformity with the relevant provisions in the Code of Criminal Procedure of the Kingdom of the Netherlands the identity of alleged offenders is not disclosed to the public domain, in the interest of the privacy of the alleged offenders.

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6. Devices and means used for carrying out the reported violation:

Stones, several iron and wooden sticks, steel pipes, heavy duty hammer.

7. Accomplices of the alleged offenders:
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8. Measures taken to apprehend and to bring the alleged offenders to justice:

Immediately after the municipal police of The Hague was notified, police units were sent to the embassy. Within 10 minutes of notification 30 police officers were present. Subsequently, a total of 36 alleged offenders were arrested and detained. After the necessary information regarding the incident had been obtained, they were released, awaiting further legal proceedings. Of the 36 alleged offenders, 16 were indicted on demolition of property charges and 14 were indicted on charges of illegal entry of property. Two persons were not indicted.

9. Final outcome of the proceedings against the offender(s):

Cases are still pending before the Court.

10. Assistance of other States directly concerned in connection with the proceedings brought in respect of the offences committed:
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11. Measures adopted with a view to preventing a repetition of the reported violation:

Permanent (static) police surveillance has been reinstalled.

12. Other relevant information:

This incident is part of a number of other incidents that took place on 5 April 1992, listed in an annex of a note by the Permanent Mission of the Islamic Republic of Iran to the United Nations, No. 38, dated 23 April 1992.

4. Note verbale from the Permanent Mission of Romania to the United Nations addressed to the Secretary-General 4/

[Original: French]

[20 July 1992]

1. On 20 August 1991, the Ambassador of India to Bucharest, Mr. Julio Francisc Ribeiro, was attacked and wounded by a commando of five Sikh terrorists near his residence in Bucharest.
2. Having received reports of a possible attack, the Romanian authorities had taken a number of steps to protect the Ambassador, and intervened promptly. The perpetrators were captured and disarmed. In the course of the attack, one of the terrorists was killed, two were captured (one of them wounded seriously), and two succeeded in escaping.
3. The two captured terrorists were tried while under preventive arrest and sentenced respectively to 10 years and to 8 years and 6 months in prison for attempted homicide, deemed particularly serious in the case of a representative of a foreign State, and also for the failure to respect the legal regulations governing weapons and ammunition.
4. The judgement, pronounced on 19 February 1992, is still final.
5. The investigation done by the competent Romanian authorities indicates that the attack was conceived and organized by the "Babbar Khalsa" group, a faction within the "Khalistan Liberation Force" of the Indian state of Punjab, and that it was coordinated by the "International Federation of Sikh Students and Young People", whose headquarters are in Canada.
6. The goal was to kill Ambassador Julio Francisc Ribeiro, in retaliation for action he had taken against the separatist Sikh movement during the period 1985-1989, when he had held the post of Director-General of the Police of the Indian state of Punjab.
7. The plan for the attack in Romania was devised in Switzerland, where members of the terrorist group have long sought to obtain political asylum.
8. All five terrorists entered Romania illegally, having illegally crossed the borders between Austria and Hungary.
9. The terrorists used two Kalashnikov 7.68-mm semi-automatic submachine guns manufactured in Hungary, one 12-mm weapon with the corresponding ammunition, a pair of binoculars and two portable two-way radio sets.
10. The Romanian authorities have taken the necessary steps to prevent such occurrences directed against foreign embassies and diplomats in Romania, in order thereby to comply with the international obligations it has assumed

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regarding the protection and security of diplomatic missions and representatives.

5. Note verbale from the Permanent Mission of Turkey to the United Nations addressed to the Secretary-General 5/

[Original: English]

[14 July 1992]

Germany

1. On 24 March, at 1015 hours a group of approximately 200 persons rallied in front of the Consulate-General at Muenster. The group threw stones at the building and tried to enter it forcibly. The main entry door was destroyed and windows on the front side were broken. The police intervened towards the end of the three-hour demonstration and apprehended 140 persons. These persons were released following ID control procedures.

2. On 25 March, at approximately 2130 hours, five persons threw stones at the front windows of the Consulate-General at Karlsruhe. While the group was trying to run away, three persons were apprehended by the police. The building suffered no damage.

Australia

3. On 25 March, at 1500 hours, a group of 70 persons demonstrated for 20 minutes in front of the Consulate-General at Melbourne. The demonstrators chanted slogans against Turkey and threw bottles of red paint at the building.

Belgium

4. On 23 March, a group of 10 pro-PKK entered the Turkish Embassy in Brussels forcibly and broke the name-plates of the Consulate and Tourism offices as well as the security glass.

Denmark

5. On 22 March, a group of 110 demonstrators chanted anti-Turkish slogans in front of the Turkish Embassy at Copenhagen and threw stones at the windows. The police did not intervene.

6. On 2 April, at 1300 hours, four Danish citizens walked into the Turkish Tourism and Information Office at Copenhagen as visitors and forced two employees out of their offices. The group then locked the doors and prevented police from entering the premises and started vandalizing the office property with metal bars. Police did not attempt entering the premises and all property in the office, including the restrooms, was destroyed.

France

7. On 23 March, a Molotov cocktail was thrown at the Turkish Consulate-General at Marseilles at 2315 hours. The fire was put out by the Consulate Security, before it caused any harm.

8. On 24 March, at 1045 hours, a group of six or seven persons threw stones at the Turkish Embassy Chancery in Paris and broke seven windows on the front side. Local police stationed in front of the Embassy apprehended three of the attackers.

9. On 26 March, at 1115 hours, a group of 20 threw Molotov cocktails and stones at the Turkish Consulate-General at Strasbourg, broke some windows and burned the main entrance door. Four of the attackers were apprehended. The fire on the door was put out by the Consulate personnel.

United Kingdom of Great Britain and Northern Ireland

10. On 24 March, at approximately 1120 hours, a group of 150 persons demonstrated in front of the Turkish Embassy in London and attempted to enter the building. This was prevented by the police. The group then threw stones at the building and broke some windows.

11. The local police handled the demonstrators effectively. Some demonstrators were slightly wounded and about 10 demonstrators, including their leaders, were arrested.

Netherlands

12. On 23 March, at 0855 hours, five persons entered the Turkish Tourism and Information Office in Amsterdam posing as visitors. The group then started vandalizing all office property with hammers and axes. The estimated damage amounted to 40 to 50 thousand Dutch Guilders.

Islamic Republic of Iran

13. On 25 March, at 2042 hours, there was an explosion in front of the Consulate-General at Tebriz. The explosion caused no damage. Following the explosion, the Consulate received a threat on the phone.

Sweden

14. On 22 March, at 1100 hours, a group of about 40 or 50 persons entered the Chancery and residence of the Turkish Embassy at Stockholm. The group then started vandalizing the offices with axes, sticks, bars and stones and broke all the windows and damaged the property in the counsellor's and another diplomat's rooms, the communications area, and the kitchen. The bullet-proof windows in the consular section between the entrance door and the intercom system were destroyed.

Switzerland

15. In the evening of 24 March, the security camera installed in front of the Consulate-General at Geneva was stolen.

16. On 25 March, at 2225 hours, a Consulate vehicle parked in front of the Turkish Consulate-General at Zurich was set on fire by unidentified persons.

Norway

17. On 21 March, at 2130 hours, a group of about 30 people forcibly entered the Turkish Embassy at Oslo, and started vandalizing the Embassy property. Among property damaged were a telefax machine, two photocopiers, some telephone receivers, a paper shredder, typewriters, furniture, flags, photographs, books and documents. The basement was flooded with water. The Embassy personnel were not at the premises at the time of the incident. At a point when the demonstrators started a fire, local police used teargas and entered the premises. The 30 attackers were apprehended in addition to 12 demonstrators in front of the building.

Notes

1/ Transmitted to the Permanent Representative of the Islamic Republic of Iran to the United Nations by a note verbale from the Secretary-General dated 13 August 1992 and circulated to all States under cover of a note verbale from the Secretary-General dated 19 August 1992.

2/ Transmitted to the Permanent Representative of Turkey to the United Nations by a note verbale from the Secretary-General dated 15 July 1992 and circulated to all States under cover of a note verbale from the Secretary-General dated 24 July 1992.

3/ Transmitted to the Permanent Representative of the Islamic Republic of Iran to the United Nations by a note verbale from the Secretary-General dated 23 July 1992 and circulated to all States under cover of a note verbale from the Secretary-General dated 31 July 1992.

4/ Transmitted to the Permanent Representative of India to the United Nations by a note verbale dated 29 July 1992 and circulated to all States under cover of a note verbale from the Secretary-General dated 30 July 1992.

5/ Transmitted to the Permanent Representatives of Australia, Belgium, Denmark, France, Germany, the Islamic Republic of Iran, the Netherlands, Norway, Sweden, the United Kingdom of Great Britain and Northern Ireland and the Permanent Observer of Switzerland to the United Nations by notes verbales dated 22 July 1992 and circulated to all States under cover of a note verbale from the Secretary-General dated 30 July 1992.